

MESSAGE NO: 4260301 MESSAGE DATE: 09/17/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 1279306, 1314303
MESSAGE #
(s):

CASE #(s): A-552-802

EFFECTIVE DATE: 07/17/2014 COURT CASE #: 11-00399,11-00383

PERIOD OF REVIEW: 02/01/2009 TO 01/31/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 09/17/2014

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain frozen warmwater shrimp from Vietnam exported by various companies for the period 02/01/2009 through 01/31/2010 (A-552-802)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. On 07/17/2014, the U.S. Court of International Trade issued a final decision in the case of Camau Frozen Seafood Processing Import Export Corporation, et al., v. United States, Consol. Court Nos. 11-00399 and 11-00383, Slip Op. 14-28 (Ct. Int'l Trade 2014) (March 10, 2014). As a result of this decision, the injunctions to which messages 1279306 and 1314303 refer enjoining liquidation of entries which 1) are covered by certain frozen warmwater shrimp from the Socialist Republic of Vietnam ("Vietnam"), 76 FR 56158 (September 12, 2011); 2) were exported by various firms (listed in paragraph 2 below); and 3) were entered or withdrawn from warehouse, for consumption during the period 02/01/2009 through 01/31/2010 dissolved on 09/15/2014.

Note that separate instructions will be issued for three exporters which were identified in the injunctions referenced above but not listed in paragraph 2 below. Note also that 76 FR 56158 (September 12, 2011) was amended by 76 FR 64308 (10/18/2011).

2. For all entries shipments of certain frozen warmwater shrimp from Vietnam, exported by the firms listed below, entered, or withdrawn from warehouse, for consumption during the period 02/01/2009 through 01/31/2010, assess an antidumping liability equal to 1.03 percent of the entered value:

Exporter: Amanda Foods (VIETNAM) Limited ("Amanda Foods")

Case Number: A-552-802-086

Entries for Amanda Foods (VIETNAM) Limited ("Amanda Foods") may also have entered under A-552-802-000 or A-552-802-005 during the period 02/01/2009 through 01/31/2010.

Exporter: Bac Lieu Fisheries Joint Stock Company aka Bac Lieu Fisheries Company Limited ("Bac Lieu") aka

Bac Lieu Fisheries Company Limited aka

Bac Lieu Fisheries Limited Company aka

Bac Lieu Fis aka

Bac Lieu Co. Ltd. aka

Bac Lieu Fisheries aka

Bac Lieu Fisheries Co. Ltd.

Case Number: A-552-802-038

Exporter: C.P. Vietnam Livestock Company Limited aka C.P. Vietnam Livestock Corporation
("C.P. VIETNAM") aka

C.P. Vietnam Livestock Corporation aka

C.P. Vietnam Livestock Co. Ltd. aka

CP Livestock

Case Number: A-552-802-006

Exporter: Cadovimex Seafood Import-Export and Processing Joint Stock Company
("CADOVIMEX- VIETNAM") aka

Cadovimex-Vietnam aka

Cai Doi Vam Seafood Import-Export Company ("Cadovimex") aka

Cai Doi Vam Seafood Import-Export Company (Cadovimex) aka

Cai Doi Vam Seafood aka

Cai Doi Vam Seafood Im-Ex Company (Cadovimex) aka

Cai Doi Vam Seafood Processing Factory aka

Caidoivam Seafood Company (Cadovimex) aka

Caidoivam Seafood Im-Ex Co. aka

Cadovimex Seafood Import-Export and Processing Joint Stock Company aka

Cai Doi Vam Seafood Import-Export Company aka

Cadovimex

Case Number: A-552-802-039

EXPORTER: Cafatex Fishery Joint Stock Corporation ("Cafatex Corp.") aka

Cafatex Fishery Joint Stock Corporation ("CAFATEX CORP.") aka

Cantho Animal Fisheries Product Processing Export Enterprise (Cafatex) aka

Cafatex aka

Cafatex Vietnam aka

Xi Nghiep Che Bien Thuy Suc San Xuat Kau Cantho aka

Cas aka

Cas Branch aka

Cafatex Saigon aka

Cafatex Fishery Joint Stock Corporation aka
Cafatex Corporation aka
Taydo Seafood Enterprise aka
Cafatex Corp. aka
Cafatex Corporation
Case Number: A-552-802-009

Exporter: Cam Ranh Seafoods Processing Enterprise Pte aka
Cam Ranh Seafoods Processing Enterprise Company ("Camranh Seafoods") aka
Camranh Seafoods aka
Branch of Camranh Seafoods Processing Enterprise Pte – Quang Ninh Seaproduct Factory aka
Quang Ninh Seaproduct Factory (Camranh Seafoods' Branch)
CASE NUMBER: A-552-802-026

Exporter: Cataco Sole Member Limited Liability Company
Can Tho Agricultural and Animal Products Import Export Company ("Cataco") aka
Can Tho Agricultural and Animal Product Import Export Company ("Cataco") aka
Can Tho Agricultural Products aka
Cataco aka
Can Tho Agricultural and Animal Products Imex Company
Case Number: A-552-802-008

Exporter: Can Tho Import Export Fishery Limited Company ("Cafish")
Case Number: A-552-802-043

Exporter: Coastal Fishery Development akaCoastal Fisheries Development Corporation
("Cofidec") aka
Coastal Fisheries Development Corporation (Cofidec) akaCofidec aka
Coastal Fisheries Development Corporation akaCoastal Fisheries Development Co. aka
Coastal Fisheries Development Corp.
Case Number: A-552-802-025

Exporter: Cuulong Seaproducts Company ("Cuu Long Seapro") aka
Cuu Long Seaproducts Limited ("Cuulong Seapro") aka
Cuulong Seapro aka
Cuulong Seaproducts Company ("Cuulong Seapro") aka
Cuu Long Seaproducts Company ("Cuu Long Seapro") aka
Cuu Long Seaproducts Company aka

Cuu Long Seapro aka
Cuulong Seaproducts Company ("Cuu Long Seapro") aka
Cuu Long Seaproducts Limited (Cuulong Seapro) aka
Cuulong Seapro aka
Cuulong Seaproduct Company aka
Cuulong Seaproducts Company
Case Number: A-552-802-010

Exporter: Danang Sea Products Import Export Corporation aka
Danang Seaproducts Import Export Corporation ("Seaprodex Danang") aka
Danang Seaproducts Import Export Corporation aka
Danang Seaproduct Import-Export Corporation aka
Danang Seaproducts Import Export aka
Tho Quang Seafood Processing & Export Company aka
Seaprodex Danang aka
Tho Quang Seafood Processing and Export Company aka
Tho Quang aka
Tho Quang Co.
Case Number: A-552-802-011

Exporter: Grobest & I-Mei Industrial Vietnam aka
Grobest aka
Grobest & I-Mei Industrial (Vietnam) Co., Ltd. aka
Grobest & I-Mei Industrial (Vietnam) Co., Ltd. ("Grobest") aka
Grobest & I-Mei Industry Vietnam
Case Number: A-552-802-084

Entries for Grobest & I-Mei Industrial Vietnam may also have entered under A-552-802-036 during the period 02/01/2009 through 01/31/2010.

Exporter: Investment Commerce Fisheries Corporation ("Incomfish") aka
Incomfish aka
Investment Commerce Fisheries Corp. aka
Incomfish Corp. aka
Incomfish Corporation aka
Investment Commerce Fisheries aka
Investment Commerce Fisheries Corporation aka
Incomfish Corporation
Case Number: A-552-802-033

Exporter: Kim Anh Company Limited ("Kim Anh")

Case Number: A-552-802-002

Exporter: Minh Hai Export Frozen Seafood Processing Joint Stock Company aka

Minh Hai Jostoco aka

Minh Hai Export Frozen Seafood Processing Joint-Stock Company ("Minh Hai Jostoco") aka

Minh Hai Export Frozen Seafood Processing Joint Stock Company ("Minh Hai Jostoco") aka

Minh Hai Export Frozen Seafood Processing Joint-Stock Company aka

Minh Hai Joint Stock Seafood Processing Joint-Stock Company aka

Minh Hai Export Frozen Seafood Processing Joint-Stock Co., aka

Minh-Hai Export Frozen Seafood Processing Joint-Stock Company

Case Number: A-552-802-013

Exporter: Minh Hai Joint-Stock Seafoods Processing Company ("Seaprodex Minh Hai") aka

Sea Minh Hai aka

Minh Hai Joint-Stock Seafoods Processing Company aka

Seaprodex Minh Hai aka

Seaprodex Minh Hai aka

Seaprodex Minh Hai (Minh Hai Joint Stock Seafoods Processing Co.) aka

Seaprodex Minh Hai Factory aka

Seaprodex Minh Hai Factory No. 69 aka

Seaprodex Minh Hai Workshop 1 aka

Seaprodex Minh-Hai Factory No. 78 aka

Workshop I Seaprodex Minh Hai

Case Number: A-552-802-003

Exporter: Minh Hai Sea Products Import Export Company ("Seaprimex Co") aka

Minh Hai Sea Products Import Export Company (Seaprimex Co) aka

Ca Mau Seafood Joint Stock Company ("SEAPRIMEXCO") aka

Seaprimexco Vietnam aka

Seaprimexco aka

Ca Mau Seafood Joint Stock Company ("Seaprimexco") aka

Minh Hai Seaproducts Import Export Corporation aka

Seaprimexco aka

Minh Hai Seaproducts Co Ltd. (Seaprimexco) aka

Ca Mau Seafood Joint Stock Company ("Seaprimexco Vietnam")

Case Number: A-552-802-014

Exporter: Ngoc Sinh Private Enterprise aka
Ngoc Sinh Seafoods aka
Ngoc Sinh Seafoods Processing and Trading Enterprise aka
Ngoc Sinh Fisheries aka
Ngoc Sinh Private Enterprises aka
Ngoc Sinh Seafoods Processing and Trading Enterprises aka
Ngoc Sinh aka
Ngoc Sinh Seafood Processing Company aka
Ngoc Sinh Seafoods (Private Enterprise)
Case Number: A-552-802-034

Exporter: Nhat Duc Co., Ltd. aka
Nhat Duc Co., Ltd. ("Nhat Duc")
Case Number: A-552-802-000

Exporter: Nha Trang Fisheries Joint Stock Company ("Nha Trang Fisco") aka
Nha Trang Fisheries Joint Stock Company aka
Nha Trang Fisheries Joint Stock Company aka
Nha Trang Fisco aka
Nhatrang Fisco aka
Nha Trang Fisheries, Joint Stock akaNha Trang Fishereies Joint Stock Company (Nha Trang Fisco)
Case Number: A-552-802-015

Exporter: Phu Cuong Jostoco Seafood Corporation aka
Phu Cuong Seafood Processing and Import-Export Co., Ltd. aka
Phu Cuong Seafood Processing and Import Export Company Limited aka
Phu Cuong Jostoco Corp.
Case Number: A-552-802-027

Exporter: Phuong Nam Co., Ltd. ("Phuong Nam") aka
Western Seafood Processing and Exporting Factory ("Western Seafood") aka
Phuong NamFoodstuff Corp. aka
Phuong Nam Co. Ltd.
Case Number: A-552-802-045

Exporter: Sao Ta Foods Joint Stock Company ("Fimex VN") aka

Sao Ta Foods Joint Stock Company aka
Fimex VN aka
Sao Ta Seafood Factory aka
Saota Seafood Factory
Case Number: A-552-802-018

Exporter: Soc Trang Aquatic Products and General Import Export Company ("STAPIMEX") aka
Soc Trang Seafood Joint Stock Company ("STAPIMEX") aka Soc Trang Seafood Joint Stock
Company aka Soc Trang Aquatic Products and General Import Export Company aka
Stapimex aka
Soc Trang Aquatic Products and General Import Export Company-(Stapimex) aka Stapimex Soc
Trans Aquatic Products and General Import Export Company aka
Stapmex
Case Number: A-552-802-040

Exporter: Thuan Phuoc Seafoods and Trading Corporation aka
Thuan Phuoc aka
Frozen Seafoods Factory No. 32 aka
Frozen Seafoods Fty aka
Seafoods and Foodstuff Factory aka
My Son Seafoods Factory aka
Seafoods and Foodstuff Factory Vietnam
Case Number: A-552-802-041

Exporter: Utxi Aquatic Products Processing Company aka
Ut Xi Aquatic Products Processing Company aka Ut-Xi Aquatic Products Processing Company
aka Utxi aka
Utxi Co. Ltd. aka
Khanh Loi Seafood Factory aka
Hoang Phuong Seafood Factory aka
Utxi Aquatic Products Processing Corporation ("Utxico") aka Utxi Aquatic Processing Corporation
aka Utxico
Case Number: A-552-802-042

Exporter: Viet Hai Seafood Co., Ltd. aka
Vietnam Fish One Co., Ltd. ("Fish One") aka
Viet Hai Seafoods Company Ltd. ("Vietnam Fish One Co. Ltd.")
Case Number: A-552-802-031

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph(s) 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of certain frozen warmwater shrimp from Vietnam you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
4. There are no injunctions applicable to the entries covered by this instruction.
5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.
6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.
7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV: JEH.)
8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party